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C O N F I D E N T I A L SECTION 01 OF 02 ADDIS ABABA 001600

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AF FOR A/S FRAZER AND A/DAS REDDICK

E.O. 12958: DECL: 06/12/2016

TAGS: PREL KPKO ET ER

SUBJECT: ETHIOPIA: GOE CONSIDERS JUNE 15 EEBC MEETING
ILL-ADVISED, PROCESS OFF-TRACK

Classified By: Charge Vicki Huddleston for reasons 1.4 (b) and (d).

¶11. (C) Summary: Vice Minister of Foreign Affairs Tekeda told Charge June 12 that the GOE did not understand why the June 15 EEBC meeting was being held, and predicted that the likely outcome would be conflict, if not a total breakdown in the current EEBC process. He asked that the USG consider postponing the meeting and hold a bilateral consultation with the GOE. Tekeda emphasized that key features endorsed by the Witnesses in February had now fallen by the wayside, most notably the commitment to Gen. Fulford's role as a neutral facilitator. The Vice Minister alleged that the EEBC's commissioners, including Sir Elihu Lauterpacht, had been intimidated by Eritrea. Charge argued that a slightly different approach to the facilitator function envisioned by the Department, endorsed by the EEBC but channeled through the UN, might in fact give the GOE more of what it needed in terms of dialogue on normalization and discussions on the impact of demarcation. She also pointed out that a USG geographer would likely join the EEBC team to bolster its ability to "identify anomalies and impracticabilities." The Charge urged that the GOE provide its overdue security plan to the EEBC, which might be contingent on the lifting of restrictions on UNMEE, and take administrative steps necessary to get demarcation moving again. Tekeda said that the GOE would not provide a security plan, however, and was considering skipping the EEBC altogether. At a minimum, the GOE would lower its level of representation. Post recommends consultations/contact with PM Meles prior to the EEBC meeting. Charge will meet with Meles at 8:00 am Washington time June 13. End Summary.

USG HOPES FOR EEBC: SECURITY PLAN AND ENDORSEMENT OF UN TALKS

¶12. (C) In a June 12 office call, the Charge and Pol/Econ Counselor pitched Tekeda on U.S. hopes for the upcoming Ethiopia-Eritrean Boundary Commission (EEBC) meeting in the Hague June 15. She said the U.S. wanted to see the GOE provide its overdue security plan for demarcation process and take other steps to facilitate the opening. These steps, she added, would put the focus back on Eritrea's failure so far to lift restrictions on the UN Mission to Ethiopia and Eritrea (UNMEE). She indicated that A/DAS Reddick and Bill Schofield would be present at the meeting.

¶13. (C) The Charge noted that the EEBC had indicated it would not hire Gen. Fulford as a consultant after all, but that the USG expected that USG geographer Ray Milford would be hired

instead. Milford was both well-qualified and inclined to share experiences from other African countries about ways to deal with "anomalies and impracticabilities" that emerge from border delimitation. The Charge also indicated that the USG would press the EEBC to endorse parallel, UN-led talks to deal with the impact of demarcation and broader normalization issues. She noted that PM Meles had told her he would attend if such talks were held, and that Secretary Rice might also be involved. We would envision such talks preceding final demarcation, the Charge added.

TEKEDA: ORIGINAL WITNESSES PLAN "OUT THE WINDOW"

¶4. (C) Deputy Minister Tekeda replied that the GOE saw no rationale for an EEBC meeting in June. A meeting was likely to lead to confrontation, something the GOE did not want. The problem was that the plan laid out by the Witnesses in their February 2006 statement had already been "thrown out the window" by the EEBC, under pressure from Eritrea. He recalled that the EEBC had stated in March its intention to hire Gen. Fulford as a consultant, but had begun backpedaling in its subsequent meeting. By the time EEBC Chair Sir Elihu Lauterpacht wrote to UN SG Kofi Annan on May 21, he had taken back everything the EEBC had promised to do with respect to a neutral facilitator. Given these setbacks, Tekeda said, he would have expected the Witnesses to reconvene to consider these developments and "help the EEBC."

Instead, the EEBC process was continuing as if nothing had happened.

¶5. (C) Tekeda also discussed other actions in which Eritrea was engaged that affected the context for the EEBC process,

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including continuing support to insurgencies in Ethiopia. He also claimed that the GSE had violated both the ceasefire agreement and the temporary security zone (TSZ). This left only one of the three Algiers Accords in effect, he concluded. He also recalled GSE lawyer Lea Brillmeyer's arguments at the last EEBC session concerning restrictions the GSE had placed on UNMEE. By separating what she said were activities undertaken voluntarily by Eritrea in order to establish a good relationship with UNMEE from those that were strictly "demarcation-related," she was bifurcating UNMEE's mandate. Tekeda said that the GOE had failed to flag this negative development adequately in the last EEBC meeting. The Charge replied that the USG would accept nothing less than full restoration of UNMEE operations.

NO SECURITY PLAN NOW; CONSULTATIONS WITH USG NEEDED

¶6. (C) Considering all of the developments mentioned above, Tekeda said that the feeling in Addis Ababa was that continued concessions by Ethiopia, including submission of a security plan, would send the wrong message. Although he acknowledged the Charge's argument about putting the onus back on Eritrea to allow UNMEE to do its job, Tekeda said that "there is no consensus here to do that." He added that there was not even consensus yet to attend the June 15 EEBC meeting at all. He suggested, however, that current GOE thinking was to send the MFA legal advisor to represent Ethiopia. Nonetheless, Tekeda urged that the meeting be delayed if at all possible. At a minimum, the USG should plan bilateral consultations with the GOE prior to any EEBC meeting to map out the way ahead.

CHARGE: DON'T BE THE PROBLEM; UN ROLE BRINGS BENEFITS

¶7. (C) The Charge countered that by not providing the required security plan -- or worse yet, not attending -- the

GOE would look as uncooperative as Eritrea in the eyes of the international community. She noted that the GOE had already missed an opportunity at the third EEBC meeting to deliver a clear statement on the "final and binding" nature of the EEBC decision and provide a security plan. These mistakes had drawn attention away from Eritrea's continuing restrictions on UNMEE.

18. (C) Charge and Pol/Econ Counselor also argued that the GOE stood to gain a great deal from the acceptance of broad talks on issues related to the border under UN auspices. Such talks would not be subject to the same constraints as those that limited the EEBC role. The UN, after all, had a much broader and well-established mandate to promote peace and security -- just what the Ethiopians had been looking for. Tekeda replied that the EEBC remained the fundamental challenge for all parties. Was the Commission really ready to cooperate and work for solutions? The parties could engage in diplomatic gymnastics, but would the EEBC play ball? He reiterated that the initial Witnesses strategy had failed and must be revised to reflect new realities.

COMMENT: MAYBE WE DO NEED TO REGROUP

19. (C) While there is enough blame to go around for current roadblocks, post agrees that enough fundamental changes have taken place to the process that prior consultations with the USG would be advisable, and would assure that the border process stays on track; it might also assist us in preparing another Witnesses' statement. Charge will meet with PM Meles on Tuesday, June 13 at 8:00 am Washington time and would appreciate any additional guidance.

HUDDLESTON